IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929

WP(C).No. 7481 of 2007(N)

PETITIONER:

BAIJU K.C.,
AGED 32, S/O CHANDRAN, MALADATH THAZHAM HOUSE,
KOTTOOLI P.O., KOZHIKODE DT.

BY ADV. SRI.E.NARAYANAN

RESPONDENTS:

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1. THE STATE OF KERALA REPRESENTED BY
SECRETARY, DEPARTMENT OF TRANSPORT,
THIRUVANANTHAPURAM.

2. THE REGIONAL TRANSPORT OFFICER,
KOZHIKODE.

*3. THE KERALA STATE DEVELOPMENT CORPORATION
FOR SCHEDULED CASTES AND SCHEDULED TRIBES LIMITED.
REPRESENTED BY ITS REGIONAL MANAGER,
MUNDUPARAMBU, MALAPPURAM.

R3 DELETED FROM THE PARTY ARRAY AS PER ORDER DATED 25.9.2007
IN I.A. 12537/07

BY GOVERNMENT PLEADER SRI. M.R. SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 7481 of 2007

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT-P1: TRUE COPY OF THE RELEVANT PAGES OF THE RC BOOK WITH RESPECT TO THE PETITIONER'S AUTORICKSHAW HAVING REGISTRATION NUMBER KL 11/U -5460

EXHIBIT-P2: TRUE COPY OF THE LETTER OF REQUEST DATED 23-12-2004 ISSUED BY THE THIRD RESPONDENT TO THE DISTRICT COLLECTOR, CHAIRMAN, RTO

EXHIBIT-P3: TRUE COPY OF THE REPLY DATED 02-03-2005 ISSUED FROM THE 2ND RESPONDENT TO THE PETITIONER

EXHIBIT-P4: TRUE COPY OF THE REPLY DATED 18-07-2005 ISSUED FROM THE 2ND RESPONDENT

EXHIBIT-P5: TRUE COPY OF THE COMMUNICATION DATED 19-08-2006 ISSUED BY THE 2ND RESPONDENT

EXHIBIT-P6: TRUE COPY OF THE NOTICE DATED 01-09-2005 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER

EXHIBIT-P7: TRUE COPY OF THE NOTICE DATED 19-01-2006 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER

EXHIBIT-P8: TRUE COPY OF THE NOTICE DATED 15-02-2006 ISSUED BY THE 3RD RESPONDENT TO THE PETITINER

EXHIBIT-P9: TRUE COPY OF THE NOTICE DATED 09-06-2006 ISSUED BY THE 3RD RESPONDENT TO THE PETIITONER

/TRUE COPY/

ANTONY DOMINIC,J.

W.P (C) No. 7481 of 2007

Dated this the 16th October, 2007

J U D G M E N T

Permit applied for by the petitioner for an authorickshaw in Calicut City has been turned down by Exhibit-P3. The ground of rejection stated in Exhibit-P3 is that by government Order dated 12.12.1995 number of permits has been restricted to 4100. Exhibit-P4 discloses that the 2nd respondent has addressed the Government for further allotment of 1000 more permits and that application of the petitioner can be considered only after getting orders from the Government.

2. Learned Government Pleader , on instruction, submits that the matter is pending with the Secretary to Government, Transport Department of the Government of Kerala and that a decision in the matter is awaited.

3. Accordingly, I dispose of this writ petition directing that Secretary to Government, Transport Department to take a decision on the proposal made by the 2nd respondent for increasing the number of CC permits in Kozhikode City. Depending on the decision to be taken by the Secretary to Government, Transport Department, the application made by the

petitioner will be considered. The decision shall be taken by the 1st respondent, as directed above , within two months from the date of receipt of a copy of this judgment.

Petitioner shall serve a copy of this judgment before the Secretary to Government, Transport Department, for compliance.

(ANTONY DOMINIC, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007